

Students' Rights and Responsibilities (cont.)

and spring breaks), facility maintenance, checkouts, and informal visits, the following activities may occur:

1. If staff members observe items in plain view that are prohibited by the Code of Conduct, such items may be reported.
2. Judicial action may be taken against the resident and any other student involved in the violation.
3. Staff members may have representatives of the Office of Safety and Security confiscate and turn over to the proper authorities prohibited items such as weapons, alcohol, illicit drugs and paraphernalia that could be used to ingest illicit drugs. Staff members may have Safety and Security Officers or professional in-hall staff members confiscate other items found in plain view that are prohibited according to college housing policies.
4. Confiscated items may be used as evidence in college judicial proceedings.
5. The college reserves the right not to return confiscated items.
6. Notifying students prior to entering their rooms is not necessary in cases of life-safety inspections and facility maintenance. Students will be notified in advance of staff inspections prior to the closing of college housing (fall, winter, and spring breaks).

M. Room Searches

Individual room searches are permitted when there are reasons to suspect the existence of contraband or crime. Except for life-safety searches, which the college reserves the right to conduct at any time and without notice, room searches will comply with the following regulations:

1. General room searches are prohibited and may not be authorized.
2. All searches are to be authorized by the Office of the Dean of Students or his/her designee in advance in writing.
3. Students will be notified if a search of their room has been authorized, but they need not be present at the time of the search. The resident may send a witness to observe the search if he/she wishes.
4. The resident has the right to be present during the search and/or to appoint a witness to observe the search.
5. A college official will oversee each search.
6. The resident retains the right to compensation for any damage done to his or her property during a search.
7. If a search has not complied with these regulations, college judicial action against the resident(s) may not be taken on the basis of evidence discovered during the search.

N. Policy on Alcohol, Drugs and Tobacco

Approved by the Student Life Committee on April 13, 1995.

Oberlin College prohibits the unlawful possession, use, or distribution of alcohol or drugs. It is the college's policy to provide a learning, living, and work environment that is free of illicit drugs, tobacco smoke, and the unlawful use or abuse of alcohol. Believing that the acceptance by students of full responsibility for their conduct is an essential component of the educational process, the college seeks to prevent the destructive use of tobacco, drugs, and alcohol by means of counseling and the education of students with regard to the risks involved.

While the college's emphasis is on preventive and educational approaches to substance use and abuse, the college will not protect students from local, state, or federal laws. College judicial procedures will be initiated if a complaint of misconduct related to drug, alcohol, or tobacco use is filed by a member of the Oberlin College community. Judicial sanctions may include suspension or dismissal, depending on the seriousness of the offense.

The following statement was issued to the Oberlin College community by the General Faculty Council on May 9, 1991:

"Oberlin College cannot condone the illegal possession, consumption, provision or sale of alcohol or drugs, and Oberlin College cannot protect members of the community from prosecution for crimes under federal, state, or local laws. Ohio state law (Section 4301.69) provides that no person shall sell intoxicating liquor or beer to a person under the age of 21 years, unless given by a physician in the regular line of his/her practice, or by a parent or legal guardian. Drugs are defined as including marijuana as well as the following, all of which are illegal except when taken under a doctor's prescription: barbiturates, amphetamines, prescription tranquilizers, LSD compounds, mescaline, psilocylin, DMT, cocaine, and other narcotics or opiates."

1. SUMMARY OF STATE LAWS

Ohio Revised Code Governing Alcoholic Beverages Section 4301.22(A)(2) and (3) and (M)(3). No intoxicating liquor or beer shall be sold to or handled by any person under twenty-one years of age. The penalty for violation of this section provides for a fine of not more than \$500 plus court costs or imprisonment of not more than 60 days, or both. (Third degree misdemeanor.)

Section 4301.69 (A) and (I). No person shall sell* intoxicating liquor to an underage person, or buy intoxicating liquor or beer for an underage person, or furnish it to an underage person, unless given by a physician in the regular line of the physician's practice or given for established religious purposes or unless the underage person is supervised by a parent, spouse who is not an underage person, or legal guardian.

The penalty for violation of this section provides for a fine of not more than \$1,000 or imprisonment of not more than 180 days, or both. (First-degree misdemeanor.)

** The law is quoted as it reads. Selling alcoholic beverages, however, requires a license and thus is not legal anywhere on campus except the Dionysus, where a license has been issued to*